

COMMISSIONERS APPROVAL

CHILCOTT

LUND *BL*

THOMPSON *AT*

TAYLOR (Clerk & Recorder)

Date.....May 17, 2006

Members Present.....Commissioner Greg Chilcott,
Commissioner Betty Lund and Commissioner Alan Thompson

Minutes: Glenda Wiles

The Board met to review the Agency on Aging budget request during the morning along with an election budget update.

In various administrative matters the Board addressed the following:

Commissioner Lund made a motion to have the Chairman sign the certification upon consent election for a bargaining unit in the Treasurer's Office. Commissioner Thompson seconded the motion and all voted "aye".

The Board addressed the Final Approval for the Arrow Hills Ranch. Present were James McCubbin, Deputy County Attorney; Renee Van Hoven, Planning Department; Brad Mildenerger, and John Kellogg. It was noted they had previously met on May 3rd to discuss the settlement agreement in order to start the work on Golf Course Road. The problem is the two parties that are simultaneously required to upgrade the road. Therefore there is a need for a settlement agreement.

James stated this is a three-way settlement agreement between Ravalli County, Arrow Hill Ranch and Kearns Developers of Hidden View Estates. A draft of the agreement has been circulated with general agreement by the parties involved. The Agreement has not been formally executed and there has been an amendment proposed by Martin King on behalf of Kearns. James feels this is an acceptable amendment. Signatures are needed before recommending final plat for either subdivision. Planning also has required items that are not completed and Renee needs to review those along with the Clerk and Recorder before they are submitted to the Board of County Commissioners. Commissioner Thompson made a motion to continue this meeting until Friday, May 19th, at 0900. Commissioner Lund seconded the motion and all voted "aye".

The Board met in order to take public comment and make a decision in regard to the Commissioners becoming involved in the litigation against the Forest Service for the East Fork Project. Present at this meeting were numerous citizens, County Attorney George Corn, acting as council for the Commissioners in this issue, Bitterroot Forest Service Supervisor Dave Bull, Forest Service Personnel Dixie Dies, Nan Christian, Tracey Hollingshead and RC & D Director, Kit Sutherland.

George gave a brief update on the last conversation he had with the Commissioners on Friday. It appears the County should intervene in the lawsuit, although money is a major concern. Attorney Scott Horngren has written a letter stating he will not hold Ravalli County responsible for filing the intervener status. George stated this is the best way for the County to proceed and the burden on his office will be minimal. George is aware Scott has represented other counties in this type of natural resource case. George also visited with the Attorney for Mineral County and they said Scott is excellent to work with. Currently they are looking at a preliminary injunction, and the filing of such depends on that scheduling. Much is determined in the preliminary stages in such suits. On fuel reduction and fire hazard concerns, the case goes into 'limbo' for some time if the preliminary injunction is not granted, which is a concern because of the need for the reduction of hazardous fuels. George stated a good argument is "balance of harm", and the fires of 2000 could and would be used to support this fuel reduction project. George felt this is important.

Public comment was then called for.

Jim Chittick thanked George for his input and encouraged the Commissioners to lean this way for the safety and welfare of those who reside in the area. He commended the Forest Service for their efforts.

Wolfgang Coon of Sula said he appreciates what the Commissioners are doing and hopes the Commissioners will intervene on their behalf. No one ever asked the residents for their opinion. He is against the waste of resources, with billions of board feet rotting away, and the beetle kill. Why waste thousands of acres and continue to pay \$20.00 for a sheet of plywood? He attended the meeting to see if he could personally sue the FOB for stopping this project. Barring that, can the individuals be sued?

George stated that depends.

Leroy Baker lives at the end of East Fork in the Bonanza Lands. There are many residents in the area. If the lawsuit stops the fuels reduction, everyone is placed in danger. The forest is dying; if it is not managed everyone could be burned out. The people responsible will answer for this if it occurs. Let the people manage the forest who are trained to do it. Residents are being placed in danger. If the fire burns them out it will not go well for the Friends of the Bitterroot.

Jim Freeman of RC& D thanked the Commissioners for their careful attention to the matter. He also reminded everyone that the Commissioners have been involved in wild

land interface safety since 1993. County Commissioners speak for all in the County with an even hand and he would like the County to intervene.

Bill Grasser lives in East Fork. He reminded everyone that this whole area was developed as a timber base for economy in the Darby area. The group that is suing (FOB) is well known by everyone. Their goals are wilderness by any means and by any name; they want a do-nothing status. He has toured the area. Roads are in place and timber should be harvested and managed for its original intent. He lived there in late 70's and 80's and the forefathers designated this for timber production. He encouraged the Board of County Commissioners to get behind the Forest Service and get the Forest Service back in the timber-management business.

Sonny LaSalle, a retired Forest Service employee, stated he has 40 years of fire experience. After the fires of 2000 the Forest Service spent 18 months and millions of dollars in fuels reduction. That went to mediation and the County was not represented and the result was that a smaller area was harvested. That opportunity is lost. The County Commissioners need to be representing the citizens. This project has already been downsized. These forests have a value and growth impact for the people who live locally. The Healthy Forest Restoration Act deals with the health of the forest and the safety of the people. When this burns again, it will threaten the people that live there and the whole County. He was in Colorado when Storm King occurred. Fourteen fire fighters died there. That should not occur anywhere. The situation should be prevented from recurring.

House District Representative Ron Stoker stated he was speaking on behalf of District 87. He stated the residents and DNRC have encouraged the County to participate in intervenor status. The safety issues have been addressed. The economics and waste of resources must be considered and the waste of timber harvest is absurd and has not been addressed. Safety and economic development in the Darby area should be considered.

House District Representative Bob Lake said this is our opportunity to take a step and we need to take advantage of it, since we have someone to help us financially. The Forest Service has determined this is in need of forest management. We have a safety issue; economics are a side bar to this area. The problem needs to be addressed now; the Commissioners need to move forward.

House District Representative Gary McLaren stated this project has been downsized to the point where the value is debatable. It might not be a perfect project, but it needs to move forward. Please intervene in this case.

Mike Hanson, Fire Chief West Fork said they should look at history. He stated they know what they have done in Ravalli County with aggressive fire management programs, and there are fires that cannot be put out. They saw them last summer and in 2000 not only in Ravalli County but in other parts of the state. Only 25% of the 1.3 million acres has been suitable for logging. If you log with the modern practices there is no impact on the area. Out of this 25%, only 12% of that has ever been logged. Let the Friends of the

Bitterroot have the rest of it. He encouraged the Commissioners to intervene in this project.

Becky Linderman of the Bitterroot RC & D said she has been active on the fire plan. She lives at mile marker 14 on East Fork Road. She was very impacted by the fires of 2000; they were helpless when it was occurring. Her daughter was trapped in the two portions of the fires and was rescued by a fire fighter. She was separated from her husband. There are hundreds of other stories like this. So she has become active in regard to Red Cross, fire restoration etc. She is now a champion to help her community. They have helped 200 private landowners with their rehab needs. Education about fire is wise; getting hazardous fuels out of the forest is important. She is proud of the Commissioners for considering this intervention. She is not a timber person or scientist, but knows what a community feels when this happens. They were away from their homes for up to 5 weeks.

Jerry Ehmann said he appreciates what Becky said and reiterated how a community could feel. It was a shocking experience to see the fireball coming at them. He does not want to see this again, but is facing the same scenario on the East Fork. The ground is already bone dry; they need to get going on this and need the Commissioners' help. They live there and should have some say in regard to what happens there.

Dave Bull, Forest Service Supervisor, said he did not advocate intervention in a Federal lawsuit, but this is an important opportunity, as there is a missing element and the three groups do not represent the community. The Commissioners can represent those most affected. Public safety of residents and emergency personnel is a local responsibility and is important to be heard. That perspective should be offered by the voice of those people, not by the Federal Forest Service. The citizens, DNRC and RC& D have implemented the development of the Community Wildland Protection Plan. The Board of County Commissioners has an important voice to be heard.

Wallace Oliff lives up West Fork. He urged the Commissioners not to plea bargain anything away when they get to court.

Kit Sutherland of RC& D thanked the Commissioners for allowing them to be heard; the Commissioners are the public voice in this lawsuit. He added he appreciates George Corn taking time away from his busy schedule. He thanked all visitors and commented the Board of County Commissioners need to help them with their voice. He said they work with private landowners to reduce their fire hazards.

Leroy said if a fire starts in the Sula area, driven by an east wind, people in the Bonanza Lands near Springer Memorial would catch it. The forest is so thick and dead everyone would be in trouble. Fuel reduction must occur.

Commissioner Thompson stated he has been reading public comment and listened to many voice mails he and the Commissioners' office has received on this issue. He was in Sacramento attending a forest lands meeting recently. He stated numerous residents such

as George Savage, Sandra Olsen, Harold Egans, John and Judy Brandt, Van Nelson and Michael Lecznar are supporting the project. Sandra Wilson wrote a letter in support of this project. She said the piles need to be burned, dead pine beetle trees need to be removed, and if you do not live there you should have no say in the matter.

Commissioner Chilcott said he had a number of similar phone calls, also.

Bill Grasser said these timber harvesters have new equipment and better technologies. We tore things up in the 60's, but this is a new way of doing things and they need a chance to demonstrate what a great job they can do. These harvesters have given up and are looking at Alaska and Canada for work.

Commissioner Thompson said after the fires of 2000 he took interest in the forest issues and was 'prepped' by our side to testify in 2000 at the Federal courthouse. But they reached a settlement agreement without any of his input. What was harvested was 4% of what was burnt. He was disappointed at that time because he did not think the citizens had a place at the table. He does not think the average person is being represented, so we need to move forward. In regard to the Middle East Fork, he is disappointed the Forest Service is not taking out more trees than they are, but it is a compromise. There is one road in and one road out. He worries about the safety of the residents that live there or recreate there. No lives were lost in 2000, but one fire in 2001 took the life of a fire fighter. Someone has to fight those fires so the forest must be managed and the work needs to be done. He stated they also need to consider the aftermath, such as the mudslides. Little Blue Joint had high winds that knocked out trees, with sediment pouring into the rivers. The rivers and fisheries are impacted. Building a road would not have the impact these other things have. We need a voice at the table. He appreciated George making a review and felt the Commissioners should move forward on this. He also appreciated the fact that Kit is looking at grants and he is visiting with Rocky Mountain Log Homes to see if they can help, also.

Commissioner Thompson stated they also met with community members to help them through this.

Commissioner Lund said she is disappointed they cannot remove more of the beetle-killed trees. It is not if; it is when a fire event will happen again. When you go travel over Lost Trail Pass and see the dead trees she becomes afraid for everyone.

George stated Kit should get credit for drumming up the resources, i.e., Scott Horngren's offer. Commissioner Chilcott said the DNRC and RC&D are great partners to the Commissioners. We need to have the local input weighed on this issue. Florida and Maine residents send in the cards to give input when they do not even live here. Our local input is important. He was the DES Coordinator after the fires of 2000. The catastrophic effects can still be seen; the County has learned some lessons and should intervene and represent the citizens in this battle.

Commissioner Thompson made a motion to move forward and instruct the County Attorney to contact the necessary agencies, which includes utilizing Scott Horngren's assistance, in order to bring Ravalli County into intervener status on the side of the Forest Service in the East Fork Project. Commissioner Lund seconded the motion and all voted "aye".